



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

JAMES A. NOYES, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 5, 2002

IN REPLY PLEASE
REFER TO FILE:

MP-5

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
FUTURE STREET AND SLOPE EASEMENT - SANTA CLARITA
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find pursuant to Section 8330 et seq., of the Streets and Highways Code that:
 - a. Pursuant to Section 8330 (a) (b) of the Streets and Highways Code, the right of way (easements) have been superseded by relocation, will not cut off access to another person's property, or terminate a public service easement.
 - b. Pursuant to Section 8333 (a) of the Streets and Highways Code, the right of way (easements) have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
 - c. Pursuant to Section 8334 (a) of the Streets and Highways Code, the right of way (easements) are excess and not required for street or highway purposes.

- d. Pursuant to Section 2381 of the Streets and Highways Code, the offer of dedication of right of way (Future Street) to be terminated and abandoned, and the slope easement to be vacated, are not useful as a nonmotorized transportation facility and are not needed for present or prospective public use.
3. Terminate the offer of dedication of right of way (Future Street) and abandon County's right to rescind rejection of that offer pursuant to Section 66477.2 (c) of the California Government Code.
4. Adopt the enclosed Resolution of Summary Vacation to terminate and abandon the offer of dedication of right of way and to vacate the slope easement, north of Placerita Canyon Road, described in Exhibit "A" of the Resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Mr. and Mrs. Dennis McGee, the underlying fee owners, requested this vacation to increase the property's buildable area. This vacation will eliminate a future major highway and its appurtenant slope easement right of way from the County of Los Angeles Highway Plan. Vacation of the rights of way will not have any negative impact on any adjacent properties or the County Highway Plan.

The offer of dedication of the Future Street and slope easement were dedicated to the County in 1978, in compliance with the requirements of Parcel Map No. 6199. These easements, however, became unnecessary when the future street was removed from the County of Los Angeles Highway Plan. It is in the County's interest to terminate and abandon the offer of dedication of right of way and vacate the slope easement since they no longer serve the intended purpose.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the termination and abandonment of the offer of dedication and vacation of the slope easement will result in added revenue through assessment and taxation, eliminates unnecessary maintenance costs, and removes possible County exposure to liability.

FISCAL IMPACT/FINANCING

The abandonment of the future street and the vacation of the slope easement will not have any negative fiscal impact on the County's budget. A fee of \$1,500 was paid by the owners to defray the expense of the investigation. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321 (d) of the Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The areas to be abandoned and vacated contain approximately 11,000 square feet and are shown on the map attached to the Resolution.

The County's interest in the slope easement was acquired by dedication in Parcel Map No. 6199, filed in Book 90, pages 94 and 95, of Parcel Maps, on file in the office of the Recorder of the County of Los Angeles. The County is also vested with the right to rescind the rejection of an offer to the public use of that certain "Future Street" shown on the above-mentioned parcel map.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest over the future street and slope easement. Adoption by your Board of this Department's recommendations terminates the County's rights and interest in those rights of way. Your action will also result in the property being unencumbered of the public easements, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated areas.

ENVIRONMENTAL DOCUMENTATION

This proposed vacation and abandonment are categorically exempt from the California Environmental Quality Act (CEQA), as specified in Class 21(a), of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15321 of State CEQA Statutes and Guidelines.

The Honorable Board of Supervisors
June 5, 2002
Page 4

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation and abandonment. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation and abandonment are not in conflict with the County of Los Angeles Highway Plan and that the vacation areas are not suitable for bicycle paths and trails.

CONCLUSION

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return the executed original and a copy to Public Works for further processing. In the interim, please retain one executed copy for your files. We will record the Resolution and return the executed original Resolution to you when recorded.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:adg
P5\FUTURE ST

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF SUMMARY VACATION

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that, the portions of real properties designated as "FUTURE STREET" and "EASEMENT TO THE COUNTY OF LOS ANGELES FOR SLOPE PURPOSES, northwest of Placerita Canyon Road, legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which rights of way (easements) are located in the unincorporated area of Santa Clarita, in the County of Los Angeles, State of California, are no longer needed for present or prospective public use based upon the following facts: (1) the easements have been superseded by relocation, will not cut off access to another person's property, and will not terminate a public service easement; (2) the easements have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and (3) the easements are excess rights of way not required for street or highway purposes;

BE IT FURTHER RESOLVED that the offer of dedication of right of way (Future Street) and slope easement in, over, and across Parcel 1 of Parcel Map No. 6199, legally described in Exhibit "A" is hereby terminated and abandoned pursuant to Section 66477.2 (c), of the Government Code, and vacated pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.

BE IT FURTHER RESOLVED that the rights of way to be vacated are not useful as a nonmotorized transportation facility and that no in-place public utility facilities that are in use would be affected by the vacation.

BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the slope easement vacated will no longer be a public easement, the offer of dedication of right way for street and highway terminated and the County's rights to accept said offer of dedication abandoned .

The foregoing Resolution was on the _____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio, the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLET VARONA -LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

CVC:adg
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EXHIBIT "A"

**FUTURE STREET AND SLOPE EASEMENT
NORTH OF PLACERITA CANYON ROAD
VACATION (M0288101)**

Those portions of Parcel 1, Parcel Map No. 6199, in the unincorporated territory of the County of Los Angeles, State of California, as shown on map filed in Book 90, pages 94 and 95, of Parcel Maps, on file in the office of the Recorder of said County, designated as variable width, FUTURE STREET, and 10 feet wide, SLOPE EASEMENT, on said map.

EXCEPTING therefrom those portions lying northerly of a line parallel with and 42 feet southerly of the north line of said Parcel 1.

Total Area: 11,000± square feet

Description Approved

JAMES A. NOYES
Director of Public Works

By _____
Deputy

BK:mrp
5:desplacertia